

## **IN THE CLAIMS**

1. (currently amended) A method for diagnosing a breast cancer in a human, comprising:

detecting and measuring gene copy number of a WIP1 gene in a breast tissue sample from the human that is suspected to be cancerous, thereby generating data for a test gene copy number; ~~and~~

comparing the test gene copy number to data for a WIP1 control gene copy number to detect WIP1 gene amplification; ~~and~~

identifying the breast tissue sample as cancerous if there is ~~wherein an~~ amplification of the WIP1 gene in the breast tissue sample ~~relative to the control indicates the presence of a breast cancer in the human.~~

2. (canceled)

3. (original) The method according to claim 1, wherein the data is stored in an electronic or a paper format, wherein the electronic format is selected from the group consisting of electronic mail, disk, compact disk (CD), digital versatile disk (DVD), memory card, memory chip, ROM or RAM, magnetic optical disk, tape, video, video clip, microfilm, internet, shared network, shared server; wherein the data is displayed, transmitted or analyzed via physical transfer, electronic transmission, video display, or telecommunication; wherein the data is compared and compiled at the site of sampling specimens or at a location where the data is transmitted.

4-56. (canceled)

57. (previously presented) The method of claim 1, wherein the gene copy number is determined by hybridization- and/or amplification-based assays.

58. (previously presented) The method of claim 1, wherein the gene copy number is determined by ligase chain reaction (LCR).

59. (previously presented) The method of claim 1, wherein the gene copy number is determined by polymerase chain reaction (PCR).

60. (canceled)

61. (previously presented) The method of claim 1, wherein the gene copy number is determined by fluorescence *in situ* hybridization (FISH).

62. (previously presented) The method of claim 1, wherein the gene copy number is determined by comparative genomic hybridization (CGH).

63. (previously presented) The method of claim 1, wherein the gene copy number is determined by microarray-based CGH.